

Application No. 10/806,123  
Amendment dated November 28, 2007  
Reply to Office Action of August 28, 2007

Docket No.: 3313-1140PUS1

### REMARKS

Claims 1-9 and 11 are now present in this application.

The Abstract and claims 1 and 8 have been amended and claim 10 has been canceled without prejudice or disclaimer. Reconsideration of the application, as amended, is respectfully requested.

Claims 1-7 stand rejected under 35 USC 112, second paragraph. This rejection is respectfully traversed.

In view of the foregoing amendments, the lack of antecedent basis issue has now be overcome. As such, reconsideration and withdrawal of the 35 USC 112, second paragraph rejection is respectfully requested.

Claims 1, 2, 4-9 and 11 stand rejected under 35 USC 102(e) as being anticipated by Irie et al, US Patent 7,061,850. This rejection is respectfully traversed.

Claims 3 and 10 stand rejected under 35 USC 103 as being unpatentable over Irie et al in view of Ogura, US Publication 2004/0015711. This rejection is respectfully traversed.

Claim 1 recites a method which includes "reading the private flag area to obtain an address signal", "determining a medium key source according to the address signal", "reading a life flag area to obtain an access optical power signal", "using the access optical power signal to determine an access optical power for accessing a medium key block (MKB)", "using the access optical power to access the MKB to reduce a recognizable number of access times in the MKB data and obtaining a medium key signal", and "using the medium key signal to restore the main data on the disc to the original data".

Independent claim 8 recites a disc which includes "a medium key block (MKB), which is formed on the optical disc using a readable/writeable material for providing a medium key signal", "a flag area, which is formed on the optical disc to provide an access optical power

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signal and an address signal, the optical power signal controlling the access optical power for the MKB to be greater than the access optical power for other areas, the address signal determining the source of the MKB", "a title key area, which provides a title key signal", and "a main data area, which provides main data that are scrambled original data; wherein when accessing the MKB, a recognizable number of access times in the MKB data is reduced".

As the specification described, "The well-known read-only optical storage media (or optical discs such as CD and DVD) allow their user to access indefinitely. Therefore, the users only need to purchase or rent only one CD or DVD and share with one another. This makes people less willing to purchase optical discs. Many manufacturers therefore hope to invent a read-only optical disc that can limit or control the total number of play times.", page 1, lines 8-13.

This invention provides a method that controls the access times of an optical disc and discs of the same. The method includes the following steps. First, an optical disc drive obtains the addresses of a life flag and a medium key block (MKB) by reading a private flag of an optical disc. The life flag and the MKB are used to control the access times of the optical disc. After confirming the addresses of the life flag and the MKB, the optical disc drive obtains an optical power signal to determine the power that should be used to read the MKB. When the optical disc drive uses the appropriate reading power to access the MKB, the recognizable number of access times in the MKB data is reduced, and the medium key signal is extracted to be confirmed if it is recognizable to restore the main data.

The MKB is a data area that records the medium key using a readable and writeable material. The material has an appropriate access optical power. If one uses a higher power, such as 3mW, to access the disc, the material will deteriorate at a faster rate. After a certain number of times, the data cannot be read and recognized because of the material deterioration. Therefore, it achieves the goal of controlling the number of access times.

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However, the patent to Irie et al. does not disclose nor teach controlling the number of access times. For example, the Examiner considers Fig. 24, ref. num h to disclose the step of "reading a life flag area to obtain an access optical power signal". However, column 23, lines 56-59 recites "After reading the control data 710 in which the physical properties of the disc 702 are recorded (step 714h), the disc type identifier 711 (step 714h) judges whether the disc is DVD-ROM, DVD-RAM, DVD-RW, or DVD-R." Accordingly, the step is used to recognize the type of disc, not to obtain an access optical power signal. Also, the Examiner considers Fig. 24, ref. num p to disclose the step of "using the access optical power signal to determine an access optical power for accessing a medium key block (MKB)". However, from column 24, lines 7-9 "This ID 857 and the above-mentioned "first key" are calculated in the operation part 704 to generate the "second key" (step 714p)." Thus, the step is used to generate the "second key", not to determine an access optical power for accessing a medium key block (MKB). Meanwhile, the Irie et al. patent does not disclose or teach "using the access optical power to access the MKB to reduce a recognizable number of access times in the MKB data and obtaining a medium key signal".

Also, in independent claim 8, the Irie et al. patent does not disclose "a flag area, which is formed on the optical disc to provide an access optical power signal and an address signal, the optical power signal controlling the access optical power for the MKB to be greater than the access optical power for other areas, the address signal determining the source of the MKB" and "wherein when accessing the MKB, a recognizable number of access times in the MKB data is reduced."

Accordingly, it is respectfully submitted that the method of independent claims 1 and 8 as well as their dependent claims, is neither taught nor suggested by the prior art utilized by the Examiner. Reconsideration and withdrawal of the 35 USC 102 and 103 rejections are therefore respectfully requested.

#### Conclusion

In view of the above amendments and remarks, the pending application should now be in condition for allowance. An early Notice of Allowance is therefore earnestly solicited.

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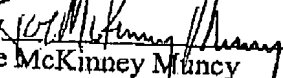
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Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By   
Joe McKinney Muncy  
Registration No. 32,334

BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant